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Applicant: Handel et al.

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Title: SHARING A CENTRALIZED
PROFILE

Docket #: AND1P030 (60021/303001)

Group Art Unit: 2177

Examiner: S. Channavajjala

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPELLANT'S REPLY BRIEF UNDER 37 CFR §1.193(b)

Dear Sir:

This Reply Brief is submitted by Appellant in reply to the Examiner's Answer, mailed by Examiner Channavajjala on April 4, 2003, which responds to Appellant's Appeal Brief, filed February 18, 2003. Consistent with the principles and arguments presented in Appellant's Appeal Brief, the remarks herein oppose the Examiner's statements and the claim rejections maintained in the Examiner's Answer.

(1) REPLY TO EXAMINER'S RESPONSE TO APPELLANT'S ARGUMENTS

With respect to claims 1, 10, and 11 and the nature of the database claimed therein, Appellant disagrees with the Examiner's assertion that the cited references teach or suggest all of the claim limitations. Specifically, in the Examiner's Answer, the Examiner maintains that (a) the combination of *Chrabaszcz* and *Harris*, in a 35 U.S.C. § 103(a) rejection, teaches or suggests storing user profile information, an activity, and third party content all on a single database, and (b) *Harris*

teaches or suggests third-party access to a public subset of user profile information on the user-accessible database.

A. *User Profile, Activity, and Third Party Content All Stored on a Single Database*

Claim elements (c) and (h) of independent claims 1, 10, and 11 require that the user profile information, the activity, and content received from the third party all be stored on a centralized, Internet accessible database. In reference to this limitation, namely storing each of those items on a single database, the Examiner states:

Chrabaszcz teaches various elements such as registration, web site user interface, updating, picture database, fetching, user database as detailed in fig 3 is part of server element 102, [and] user database element 306 is considered to be sharing, storing in a centralized database because registration, fetching, picture database, updating are one way or the other connected to the user database element 306, therefore...the content received is stored in the same database that stores the user profile information

Examiner's Answer, page 9, line 15 – page 10, line 2, and

[With respect to the Harris reference,...if third party information was not available on a single database, it would not be possible to collect specific information for one or more third parties...

Examiner's Answer, page 11, lines 6-8. Appellant respectfully disagrees with the Examiner's characterization of the cited references.

As previously argued, Appellant asserts that the combination of *Chrabaszcz* and *Harris* fails to teach or suggest the limitations of claim elements (c) and (h). Appellant further asserts that the response in the Examiner's Answer fails to show that *Chrabaszcz* and *Harris* teach these claim elements.

Chrabaszcz discloses a method for updating wallpaper for a computer display based on a user's personal profile. The personal profiles, which may contain information regarding the items and areas the user has referenced in the past and the user's security rights, are stored on a user database 306. See *Chrabaszcz*, column 4, lines 39-47; Figure 3. Upon receiving a request for a wallpaper display, a fetching mechanism references the user database 306 to determine the personal profile for the user who generated the request, which is used to select a wallpaper from a picture database 310. See *Chrabaszcz*, column 4, lines 39-42, 48-51; Figure 3. Once the appropriate wallpaper is selected from the picture database 310, the fetching mechanism returns a file 314 to the client 110. *Id.* at column 4, lines 37-39; column 5, lines 8-13; Figure 3, Figure 4.

Importantly, the content received is not stored in the same database that stores the user profile information, as is claimed in Appellant's invention. The content received in the system of

Chrabaszcz is stored on the client 110, whereas the personal profiles are stored on the user database 306. In stark contrast, Appellant's invention claims storing both user profile information and the content received from a third party on a single database, as recited in claim elements (c) and (h) of independent claims 1, 10, and 11. The user database 306 and client 110 (or 114, 118; *see*, Figure 1) of *Chrabaszcz* are clearly distinct entities.

The Examiner's comments seem to intimate that *Chrabaszcz* teaches storing both personal profiles and a wall paper file on user database 306. Appellant respectfully disagrees with this characterization because, as outlined above, the wall paper file is clearly stored in picture database 310 and transferred to client 110. At no time is the wall paper file stored in the user database 306 with the personal profiles. Nowhere does *Chrabaszcz* teach or suggest storing user profile information, an activity, and third party content on a single database.

Harris, on the other hand, discloses a method for personalizing an electronic device through a personal area network. With respect to a user's personal information, personalization data 52 is stored in memory 42. *See Harris* at column 8, lines 8-14; Figure 2. The memory 42 is contained within a peer 20, as shown in Figure 1. *See, also*, column 7, line 63-column 8, line 5. *Harris* also describes programming personalization data 52 into nearby appliances. *See* column 10, lines 7-11. However, nowhere does *Harris* describe receiving content from a third party, related to an activity, and storing that content in the memory 42 or nearby appliances, where the personalization data 52 is stored.

The discussion in *Harris* pertaining to receiving content from third parties is described in the context of a buyer/merchant/financial institute relationship, illustrated in Figures 30, 31 and 32. A merchant terminal 529 transmits financial information to a terminal belonging to a third party financial institution. *See* column 26, lines 44-50. However, the merchant, not the third party financial institution, sends a receipt and product codes to the user. *See* column 26, lines 55-59. Such "receipt and product codes" are not stored on the same database as the activity and user profile information as claimed by Appellant. *Harris* indicates that data being transmitted by a third party may be accepted by storage device 407 and saved in a database of the storage device 407. *See* column 21, lines 1-3. However, nowhere does *Harris* teach or suggest that (a) such data is related to an activity, or (b) such data is saved in the same database as the activity and user profile information, as claimed by Appellant.

The Examiner's comments seem to intimate that *Harris* teaches that third party information must be stored on a single database along with personalization data 52 or else "it would not be possible to collect specific information for one of more third parties." Appellant respectfully

disagrees with this characterization of *Harris*. The issue raised by Appellant is not whether third parties are provided access to various pieces of information, which may be stored in various locations. The issue is whether that information is stored on a single database or in multiple storage facilities; either way, third parties can access the information if given the proper communication channels and access. As outlined above, *Harris* does not disclose third party data that is saved in the same database as the activity and user profile information and that is related to an activity, as claimed by Appellant.

Appellant's invention as claimed provides for storing user profile information and an activity in a database and storing the content from a third party related to the activity in the same database. The cited references plainly fail to teach or suggest storing user profile information, an activity, and third party content on a single database.

B. *Third Party Given Access to a Public Subset of User Profile Information*

Claim elements (e) and (f) of independent claims 1, 10, and 11 require that the third party is given permission to access a public subset of the user profile information on the user-accessible database. In reference to this limitation, namely third-party access to a public subset of user profile information, the Examiner states:

Harris specifically teaches 'third party' has the ability to receive selected specific data from the database...

Examiner's Answer, page 11, lines 5-6, and

Harris also suggests several varieties of transaction, one of the transactions being financial transaction specifying and protecting user(s) personal information at various levels...

Examiner's Answer, page 12, lines 8-10. Appellant respectfully disagrees with the Examiner's assertion that these teachings of *Harris* disclose claim elements (e) and (f) of independent claims 1, 10, and 11.

Reading the disclosure of *Harris* in its entirety reveals that the reference teaches quite a different type of third party access from Appellant's invention. *Harris* discloses sending product and financial information from a personal transaction and storage device 407 to a merchant terminal, and then transmitting the financial information from the merchant terminal to a third party financial institution. See column 26, lines 40-50. Ultimately, receipt and product codes are sent back to the user. *Id.* This transmission of information described by *Harris*, however, is distinct from enabling system access permissions as recited in claim elements (e) and (f).



Conspicuously absent from *Harris*' description of the transmission and flow of information is any teaching or suggestion of granting a third party access to a public subset of user profile information on a user-accessible database. Appellant maintains that there is a distinction between transmitting information from A to B, and granting B access to a subset of information in a database on A. In other words, merely because a party receives information does not necessarily insinuate that the party would have otherwise had permission to access that information from the information's original storage location.

The Examiner's comments suggest that merely because *Harris* describes a variety of access levels for personal information, the reference describes granting access permissions to third parties. Appellant takes issue with this representation. Whereas "access" is typically used to denote the ability to read data from or write data to a storage device, the storage device 407 of *Harris* only has the ability to select specific data and transmit it to third parties. *See Harris* at column 20, line 57 – column 21, line 3. Nowhere does *Harris* teach or suggest allowing third parties to read data from or write data to the storage device 407. Although the storage device 407 has a variety of access levels that provide protection of personal information at various levels, *see Harris* at column 25, lines 28-33, *see, also*, Table I, *Harris* does not describe granting permissions and access to the storage device 407. The third parties may not access storage device 407. Rather, the teaching of *Harris* relates to information that the storage device 407 may transmit to third parties.

In contrast, Appellant's invention as claimed provides for granting a third party permission to access a public subset of the user profile information on the user-accessible database. The cited references plainly fail to teach or suggest this limitation.

(2) CONCLUSION

For the above reasons and those reasons set forth in the Appeal Brief, Appellant submits that the claimed invention is neither anticipated nor obvious from the prior art. Reversal of the Examiner's rejections is respectfully requested.



Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference #60021-303001).

Respectfully submitted,

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Attachment: Appendix (Claims Subject to Appeal)



Claims Subject to Appeal

1. A method for sharing a centralized profile, comprising:
 - (a) obtaining user profile information;
 - (b) obtaining at least one Activity from a user device, and wherein an Activity is a calendar, email, contact list, task list, or note;
 - (c) storing the user profile information and the Activity in a centralized, Internet-accessible database;
 - (d) providing a user access to the database from an Internet enabled device for allowing the user to alter the user profile information and to access the Activity;
 - (e) receiving permission from the user to allow a third party to access a public subset of the user profile information;
 - (f) providing the third party access to the public subset of the user profile information on the database;
 - (g) receiving content from the third party related to the Activity;
 - (h) storing the content from the third party in the database; and
 - (i) synchronizing the database and an Internet enabled device so that the database and the Internet enabled device both contain the content and the Activities previously stored either on the Internet enabled device or on the database.
2. The method for sharing a centralized profile as recited in claim 1, wherein the third party is a merchant utilizing the user profile information for offering a personalized service to the user.
5. The method for sharing a centralized profile as recited in claim 1, further comprising updating a third-party application based on a change in the user profile information.
6. The method for sharing a centralized profile as recited in claim 1, further comprising storing rules in the database indicative of information usage in the user profile information.
8. The method for sharing a centralized profile as recited in claim 1, wherein the profile information is grouped in an optimal manner for a third-party target application.

9. The method for sharing a centralized profile as recited in claim 1, wherein the Internet enabled device is a gas meter, electricity meter, telephone, television, computer, smart card, pocket organizer, personal digital assistant, vehicle, kitchen appliances, lights, security system or home monitor.

10. A system that supports a shared centralized profile, comprising;

- (a) a processor;
- (b) a memory that stores information under the control of the processor;
- (c) a code segment that obtains user profile information;
- (d) a code segment that obtains at least one Activity from a user device, and wherein an Activity is a calendar, email, contact list, task list, or note;
- (e) a code segment that stores the user profile information and the Activity in a centralized, Internet accessible database;
- (f) a code segment that provides a user access to the database from an Internet enabled device for allowing the user to alter the user profile information and to access the Activity;
- (g) a code segment that receives permission from the user to allow a third party to access a public subset of the user profile information;
- (h) a code segment that provides the third party access to the public subset of the user profile information on the database;
- (i) a code segment that receives content from the third party related to the Activity;
- (j) a code segment that stores the content from the third party in the database; and
- (k) a code segment for synchronizing the database and an Internet enabled device so that the database and the Internet enabled device both contain the content and the Activities previously stored either on the Internet enabled device or on the database.

11. A computer program embodied on a computer-readable medium that is executed by a computer to create a shared centralized profile, comprising:

- (a) a code segment that obtains user profile information;
- (b) a code segment that obtains at least one Activity from a user device, wherein an Activity is a calendar, email, contact list, task list, or note;
- (c) a code segment that stores the user profile information and the Activity in a centralized, Internet accessible database;



- (d) a code segment that provides a user access to the database from an Internet enabled device for allowing the user to alter the user profile information and to access the Activity;
 - (e) a code segment that receives permission from the user to allow a third party to access a public subset of the user profile information;
 - (f) a code segment that provides the third party access to the public subset of the user profile information on the database;
 - (g) a code segment that receives content from the third party related to the Activity;
 - (h) a code segment that stores the content from the third party in the database; and
 - (i) a code segment that synchronizes the database and an Internet enabled device so that the database and the Internet enabled device both contain the content and the Activities previously stored either on the Internet enabled device or on the database.
12. The computer program embodied on a computer-readable medium as recited in claim 11, wherein the third party is a merchant utilizing the user profile information for offering a personalized service to the user.
15. The computer program embodied on a computer-readable medium as recited in claim 11, further comprising a code segment that updates a third-party application based on a change in the user profile information.
16. A computer program embodied on a computer-readable medium as recited in claim 11, further comprising a code segment that stores rules indicative of information usage in the user profile information.
18. The computer program embodied on a computer-readable medium as recited in claim 11, wherein the profile information is grouped in an optimal manner for a third-party target application.
19. The computer program embodied on a computer-readable medium as recited in claim 11, wherein the Internet enabled device is a gas meter, electricity meter, telephone, television, computer, smart card, pocket organizer, personal digital assistant, vehicle, kitchen appliances, lights, security system and home monitor.